

July 22, 2011

Dear Clerk:

I am writing in opposition to the proposed amendments to MRPC 7.3. In an apparent effort to further regulate attorneys primarily representing accident victims, the proposal ensnares any attorney who utilizes advertising as part of the marketing plan for his or her practice.

In particular, the requirement that advertising materials be labeled as "advertising materials" is unnecessary, solves no problem, and most of all, is insulting to the intelligence of the recipient of the advertising material. The drafter of such a requirement must assume that the recipient of, for example, a postcard from an attorney offering estate planning services is so utterly lacking in common sense that he or she would not recognize it for exactly what it obviously is: advertising material. Further, the proposed amendment of subsection (c)3 is drafted so poorly that it would appear that the phrase "advertising material" would have to appear at least three times on a postcard: at the beginning of the text, at the end of the text, and a third time in the address panel. If that is not poor drafting, but rather, the actual intent of the proposed rule, then it is laughable.

This is silly, solves no problem, and adds even more unnecessary government regulations to a profession that is already amply regulated. The proposed amendments should be rejected.

Very Truly Yours,

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